

Application No. 09/448,055
Response to Final Office Action

Customer No. 01933

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

RE: THE REJECTION UNDER 35 USC 101

Claim 6 has been amended to clarify that respective parts associated with the activities for achieving the particular values of the individual attributes of use are also defined in the database of the computer, as supported by the disclosure in the specification at page 15, line 10 through page 16, line 16. In addition, claim 6 has also been amended to clarify that after the manufacturing process for a particular product is derived, parts defined to be associated with the activities of the derived manufacturing process are identified from the desired values of the individual attributes of use, and then the particular product is produced in accordance with the derived manufacturing process utilizing the identified parts.

Thus, according to the present invention as recited in amended claim 6, a manufacturing process for a particular product is derived, by a computer alone, by arranging in a prescribed sequence respective corresponding activities for achieving desired values of individual attributes of use. Parts defined to be associated with the activities of the derived manufacturing process are identified from the desired values of the individual

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attributes of use, and then the particular product is produced in accordance with the derived manufacturing process utilizing the identified parts.

On page 2 of the Office Action, the Examiner asserts that "claim 6 is not statutory because it appears that a plurality of different part combinations could be used in conjunction with an activity to achieve the same attribute of use while ending up with a substantially different product (e.g., using the same welding, polishing, and assembly activities on parts that have the same geometry, but a different size)."

It is respectfully pointed out, however, that the method of the claimed present invention dynamically derives, by the computer alone, a manufacturing process for a particular product having a desired combination of values of individual attributes of use. Thus, the starting point for deriving the manufacturing process is the particular product itself. And as recited in amended claim 6, parts defined to be associated with the activities of the derived manufacturing process are identified from the desired values of the individual attributes of use, and then the particular product is produced in accordance with the derived manufacturing process utilizing the identified parts.

Accordingly, it is respectfully submitted that the method of the claimed present invention thus clearly produces a concrete, tangible, and useful result - namely, the particular product.

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On page 2 of the Office Action, the Examiner also states that "While claim 6 recites 'utilizing parts retrieved in accordance with the activities of the derived manufacturing process,' it is not clear how this would be accomplished in an unambiguous way."

It is respectfully pointed out, however, that the specification clearly describes how the component parts for manufacturing a particular product are obtained at page 15, line 3 through page 18, line 6. (See also Figs. 1 and 5.)

In view of the foregoing, it is respectfully submitted that amended independent claim 6, and each of claims 2-4 and 8 depending therefrom, are clearly directed to statutory subject matter, and it is respectfully requested that the rejection under 35 USC 101 be withdrawn.

RE: THE REJECTIONS UNDER 35 USC 112

Claim 9 was rejected under 35 USC 112, second paragraph, as lacking antecedent basis for "the set series activities." This rejection, however, has been obviated since claim 9 has been canceled. And it is respectfully pointed out that the corresponding recitation in amended independent claim 6 does have proper antecedent basis. Accordingly, it is respectfully requested that the rejection under 35 USC 112, second paragraph, be withdrawn.

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Claims 2-4, 6, 8 and 9 were also rejected under 35 USC 112, first paragraph, as being based on a non-enabling disclosure. In particular, the Examiner asserts on page 3 of the Office Action that the specification "does not, as read by the examiner, show initially defining parts required and their associations with the activities for manufacturing a product with certain attributes of use."

It is respectfully pointed out, however, that the specification clearly describes the relationships between the parts, the attributes of use and the series activities at page 10, line 3 to page 11, line 23, at page 12, line 23 to page 13, line 25, and at page 15, line 3 to page 18, line 6. (See also Figs. 1, 3 and 5.) Accordingly, it is respectfully requested that the rejection under 35 USC 112, first paragraph, also be withdrawn.

RE: THE REJECTION UNDER 35 USC 102

In order to more clearly distinguish over USP 6,198,980 ("Costanza"), claim 6 has been amended to clarify that the manufacturing process derived by the claimed present invention is dynamically derived, by the computer alone. As recognized by the Examiner on page 5 of the Office Action, "text requiring derivation of a manufacturing process by the computer alone

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would define over Costanza, since Costanza shows an interactive derivation of the process via entering information on the computer."

Accordingly, it is respectfully submitted that amended independent claim 6, as well as claims 2-4 and 8 depending therefrom, clearly patentably distinguish over Costanza under 35 USC 102 as well as under 35 USC 103, and it is respectfully requested that the prior art rejection be withdrawn.

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It is respectfully submitted that the amendments to the claims are clarifying in nature only and that no new matter has been added and that no new issues have been raised which require further consideration on the merits and/or a new search.

Accordingly, it is respectfully requested that the amendments to the claims be approved and entered under 37 CFR 1.116.

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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